

Am

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Don Shattuck
Serial No. : 10/612,111
For : **GASKET WITH INTEGRAL CHANNEL AND
PORT SEAL**
Filed : July 2, 2003
Examiner : Alison K. Pickard
Art Unit : 3673

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Tel. (212) 532-8585

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, Reg. No.

Name of Applicant, Assignee or Registered Representative

Robert Hein

Signature

11/14/06

Date of Signature

**RENEWED PETITION TO WITHDRAW THE
HOLDING OF ABANDONMENT UNDER 37 CFR 1.81**

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a reply to the Decision on Petition to Withdraw the Holding of Abandonment
mailed November 3, 2005.



REMARKS

In the November 3, 2005 decision Examiner dismissed the Applicant's Petition to Withdraw the Holding of Abandonment because Petition's evidence of a timely filing based on the postcard receipt was considered insufficient. This insufficiency lied in the fact that Applicant supplied the Patent Office with a copy of a February 10, 2005 response that was not signed and did not include a dated or executed Certificate of Mailing.

Applicant apologizes for sending an unsigned copy of the February 10 response to the Patent Office. And in order to correct this deficiency, Applicant has attached to this petition a signed and executed copy of the February 10, 2005 response with this renewed petition.

Please note, for your convenience, Applicant has also attached the previously submitted postcard receipts and the November 3rd Decision.

Accordingly, Applicant hereby requests that the August 19th Notice of Abandonment be withdrawn.

CONCLUSION

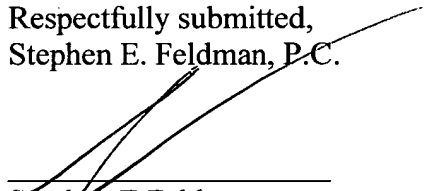
If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner's consideration of this matter is gratefully acknowledged.

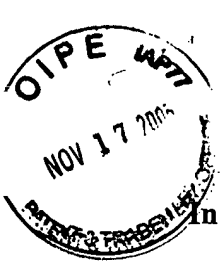
The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 06-0515.

Respectfully submitted,
Stephen E. Feldman, P.C.

By:



Stephen E Feldman
Reg. No. 22,473
(212) 532-8585



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Applicant : Don Shattuck
Serial No. : 10/612,311
Filing Date : July 2, 2003
For : GASKET WITH INTEGRAL CHANNEL AND PORT SEAL
Examiner : Alison K. Pickard
Art Unit: 3676
...
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Honorable Sir:

LETTER

In response to the January 31, 2005, Notice of Non-Compliant Amendment.

IN THE CLAIMS

Please cancel claims:

1. (Canceled) A gasket for filing in space between mating surfaces of a center support member and a hub member in an automotive transmission comprising:

a) A gasket body means for seating in a nestable portion of said center support members and having a first plurality of openings in registration with a second plurality of openings in said center support member;

b) a polymer patch means integral with a portion of said gasket body means and in general alignment with at least one opening of said second plurality of openings, said polymer patch means and said gasket body means having a channel aperture passing therethrough, said channel aperture

having a first end and a second end, said first end being in registration with said at least one opening;
and

c) said first end defining a first seal means and said second end defining a second seal means, said first seal means for providing a leak proof seal between said at least one opening and said first end of said channel aperture.

2. (Canceled). A gasket for filing space between mating surfaces as in claim 1, wherein said polymer patch means is a silicone patch.

3. (Canceled). A gasket for filing space between mating surfaces as in claim 1 wherein said hub member includes a third plurality of openings in registration with said second plurality of openings and one opening of said plurality of openings is in registration with said second end of said channel aperture.

4. (Canceled). A gasket for filing space between mating surfaces as in claim 3 wherein said second seal means provides a leak proof seal between said one opening of said third plurality of openings and said second end of said channel aperture.

5. (Canceled). A gasket for filing space between mating surfaces as in claim 1 wherein said gasket body means has a thickness of about .0085 inches.

6. (Canceled). A gasket for filing space between mating surfaces as in claim 5 wherein said polymer patch means in from .004 inches to .008 inches in thickness.

7. (Canceled). A gasket for filing space between mating surfaces as in claim 6 wherein said polymer patch means is a silicone path.

8. (Canceled). A gasket for filing space between mating surfaces as in claim 1 wherein said gasket body means is fabricated from Armstrong NV519 gasket material.

9. (Canceled) A gasket for filing space between mating surfaces as in claim 8 wherein said

polymer patch means is a silicone patch.

10. (Canceled) A gasket for filing space between mating surfaces is in claim 8 wherein said Armstrong NV519 gasket material has a thickness of about .0085 inches.

REMARKS

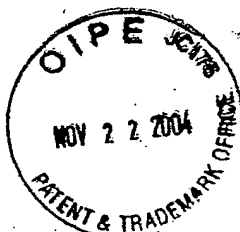
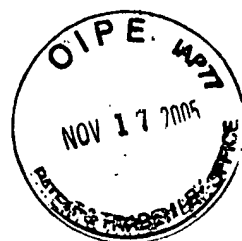
Please charge any additional fees to Deposit Account No. 06-0515

Respectfully submitted,

Stephen E. Feldman
Reg. No. 22,473

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Applicant: Don Shattuck
Serial No.: 10/612,311
Filing Date: July 2, 2003
For: GASKET WITH INTEGRAL CHANNEL AND PORT SEAL
Examiner: Alison K. Pickard
Art Unit: 3676

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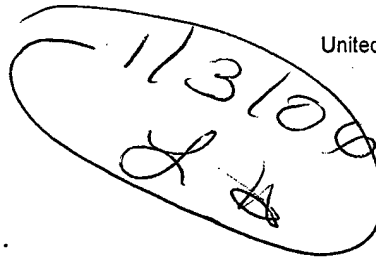
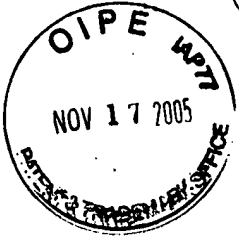
The Official Stamp of the United States Patent and Trademark Office hereon indicated that the LETTER, AND CERTIFICATE OF MAILING, IN RE:

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STEPHEN E. FELDMAN, P.C.
Attorneys for Applicant(s)
12 East 41st Street
New York NY 10017

In re Application of	:	DECISION ON PETITION
Don Shattuck	:	TO WITHDRAW THE
Application No. 10/612,111	:	HOLDING OF
Filed: July 02, 2003	:	ABANDONMENT
For: GASKET WITH INTEGRAL CHANNEL AND PORT SEAL		

This is a decision on applicant's Petition to Withdraw the Holding of Abandonment under 37 CFR 1.181 filed in the United States Patent and Trademark Office on September 09, 2005. There is no fee for this petition.

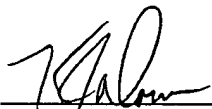
The petition is **DISMISSED**.

A review of the file record indicates that the application was held abandoned for failure to timely file a proper response to the Office action mailed July 06, 2004, which set a three-month shortened statutory period. A Notice of Abandonment was mailed on August 19, 2005. A reply was timely received on November 22, 2004, however, this reply was improper as noted in the Notice of Non-Compliant Amendment mailed January 31, 2005 which gave applicant a one-month extendable time period to correct the reply.

Petitioner contends that a response to the Notice of Non-Compliant Amendment mailed January 31, 2005 was filed on February 04, 2005. In support thereof, petitioner submits a copy of the postcard receipt bearing a USPTO stamp dated February 10, 2005. It is noted that the Application number on the copy of the response and post card receipt is 10/612,311 instead of 10/612,111.

Petitioner's evidence of a timely filing based on the postcard receipt is considered to be insufficient. In this regard, it is noted that the copy of the February 10, 2005 response is not signed and does not include a dated or executed Certificate of Mailing.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(b) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition to Withdraw the Holding of Abandonment Under 37 CFR 1.81."



Kenneth J. Dorner
Special Programs Examiner
Patent Technology Center 3600
(571) 272-6587

KJD/rjc: 10/24/05